IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1909 OF 2007

IN

WRIT PETITION NO.4181 of 2007

Rahul Dattatraya Magar .. Applicant

versus

Shri Pruthviraj Shashikant Sutar & ors..Respondents

...

Mr.Girish Kulkarni and Mr.S.S. Deshmukh i/b Smt.Swati Deshpande for the applicant.

Mr.A.H. Palekar, AGP for respondent nos.1 and 2.

Mr.C.J. Sawant, Sr. Advocate with A.B. Avhad for the petitioner.

CORAM : S.B. MHASE AND

D.G.KARNIK, JJ

DATED : 17th August 2007.

P.C.:

. Heard counsel for the parties.

2. By this civil application, the applicant seeks vacating of the order of interim relief granted by Division Bench on 28th May 2007 in Writ Petition

no.4181 of 2007. After having heard the parties, we are satisfied that the original writ petitioner has made out a prima facie case. The fact that the writ petition has been admitted also fortifies our view. The Court has also granted stay for the operation of the main order impugned in the writ petition. We see no reason to modify the stay granted by this court. Hence, civil application is rejected.

3. Learned counsel submits taht he has also filed a writ petition challenging the original order of the scrutiny committee by filing Writ Petition no.2655 of 2007. In the circumstances, it would be appropriate that the two writ petitions are heard together. We accordingly direct that papers of Writ Petiion no.2655 of 2007 be heard along with the present Writ Petition.

(D.G. KARNIK, J) (S.B. MHASE, J)